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<b>JANE DOE,</b>	:	
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>JAYLEN BROWN, JAYSON TATUM,</b>	:	
<b>MARCUS SMART, and BOSTON CELTICS,</b>	:	
	:	
<b>Defendants.</b>	:	
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**PLAINTIFF'S MEMORANDUM OF LAW AND FACTS  
IN OPPOSITION TO DEFENDANT BANNER SEVENTEEN, LLC.  
("BOSTON CELTICS") MOTION TO DISMISS CLAIMS AGAINST THEM**

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## **BACKGROUND**

1. The Plaintiff has provided this Memorandum of Law and Facts to answer questions brought forth by the Defendant Boston Celtics as part of the Plaintiff's complete Opposition to Motion Dismiss.

2. The Plaintiff alleges on knowledge with respect to itself and its own conduct, and upon the basis of information and belief as to all other matters. Plaintiff's information is based upon personal experiences, personal observations, and personal conversations, and any conclusions have been reaffirmed unless otherwise noted. Definitions from Amended Compliant and other relating documents are applicable in this Memorandum.

3. The Sex Trafficking of the Plaintiff was carried out by the Player Defendants, as well as other players of the Boston Celtics Basketball Team, and includes dozens of sexual violations over the course of a several year time period. The Plaintiff was recruited, harbored, transported, displayed in an auction like atmosphere, obtained, sexually violated, publicly humiliated, and has been attempted to be silenced through the use of intimidation and threats, including that of a destroyed future. The obtainment of control of the Plaintiff and sexual violations of the Plaintiff were only possible because Defendant Boston Celtics employed, fostered and facilitated the Player's ability to do so, and with no regulation, oversight or willingness to step in even when approached after years of observable abuse was being articulated comprehensively and verifiably.

4. The Plaintiff's ability to earn and develop was halted June 2024, and the Plaintiff has come forward to Fight for the Future were capable women can develop and be recognized, and not held down or pushed aside.

**I. DEFENDANT INVOLVEMENT**

5. Each Defendant was visually observed by the Plaintiff, and/or otherwise identified, as an involved perpetrator of harm to the Plaintiff in the Sex Trafficking of the Plaintiff, including but not limited to bodily and non bodily contact roles, in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92.

6. Each Defendant is responsible for the catastrophic damage done to the Plaintiff during the sex trafficking of the Plaintiff, including but not limited to extreme emotional distress and agony, humiliation, fear, and negative affect on professional opportunities and ability to earn etc, with potential permanent effects, in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92.

7. The Plaintiff was forced into sexual activity and several experiences without awareness or consent to the Player Defendants' involvement and/or participation; involving bodily contact that is reasonably considered outrageous; and/or intention to make the contact without the plaintiff's consent in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and Defendant Boston Celtics served as a facilitator in each occurrence in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92.

8. The Plaintiff suffered severe emotional distress and emotional agony. The Plaintiff's severe emotional distress was a direct and proximate result of the Defendants acts. The Plaintiff asserts that the Defendants knew or disregarded the substantial likelihood that their and/or actions would cause Plaintiff severe emotional distress. Their conduct, "reasonably could be found to have gone beyond all possible bounds of decency and is intolerable in a civilized community." *Giuffre v. Prince Andrew*, (S.D.N.Y 2022).

**A. Defendant Mr. Jayson Tatum.**

9. Beginning in the Fall of 2021, Mr. Tatum engaged in the recruiting, obtaining, harboring, transporting, and sexual violations of the Plaintiff while sex trafficking the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage.

10. At the beginning of the sex trafficking of the Plaintiff back in the Fall of 2021, Mr. Tatum was the only individual mentioned as a potential source or reasoning behind the original efforts to obtain control of and force the Plaintiff into the Boston Celtics Sex Trafficking Scheme in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage.

11. Victim's testimony, herein, standing alone, is evidence. "[T]wo bedrock principles of our law are that alleged victims of sex crimes are to be treated equally with other alleged victims of crime with respect to credibility, and that those against whom such crimes may or have been perpetrated are fully worthy of legal protection. As would be true were this any other type of criminal case, therefore, the victim's testimony alone, believed as it was by the jury, suffices to support the defendant's convictions." *See Comm. v. Gonzalez Santos*, 100 Mass. App. Ct. 1 (2021).

**B. Defendant Mr. Jaylen Brown.**

12. Beginning in the Winter of 2021/2022, Mr. Brown engaged in the recruiting, obtaining, harboring, transporting, and sexual violations of the Plaintiff while sex trafficking the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage.

13. Mr. Brown was explicitly and repeatedly referenced and inferred to be behind maintaining control of the Plaintiff and keeping the Plaintiff in the sex trafficking scheme from mid 2022 to present. Over the course of the sex trafficking of the Plaintiff, Mr. Brown was observed the most by the Plaintiff during the sex trafficking of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage. Victim's testimony herein, standing alone, is evidence. *Id.*

**C. Defendant Mr. Marcus Smart.**

14. Beginning in the Winter 2021/2022, Mr. Smart engaged in the obtaining, harboring, transporting, and sexual violations of the Plaintiff while sex trafficking the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage. Victim's testimony, herein, standing alone, is evidence. *Id.*

**D. Defendant Boston Celtics.**

15. Beginning in the Fall of 2021, by giving the Player Defendants permission to act as the Boston Celtics as they used the Boston Celtics name to carry out the Sex Trafficking of the Plaintiff in the name of the Boston Celtics, the Boston Celtics facilitated the Sex Trafficking of the Plaintiff and engaged in the provision of the Plaintiff for the purpose of a commercial sex act in the Boston Celtics Players Sex Trafficking Scheme in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and by doing so caused the Plaintiff catastrophic damage.

**II. SEX TRAFFICKING SCHEME**

**A. Employment of "Promoters" ("Traffickers").**

16. After recruited into the Boston Celtics Sex Trafficking Scheme, the Plaintiff met several people whom introduced themselves or were introduced as "Promoters." The Plaintiff had never heard of the term before. One "Promoter" said he was "working on a dating service." It didn't occur to the Plaintiff that this could have anything to do with her, and the Plaintiff engaged in the conversation with same courtesy and respect she does with anyone talking about their job and/or professional aspirations. Some "Promoters" alleged to the Plaintiff to be club promoters. Initially the Plaintiff didn't think anything of it aside from noticing that she couldn't identify them as doing anything on behalf of the establishment. One "Promoter" once told the Plaintiff that he couldn't tell the Plaintiff what "promoting" meant. Two "Promoters" said they were a "Promoter" for the Celtics Basketball Players, and one of those "Promoters" in his late 20s/early 30s once told the Plaintiff that he was going to a college party in Boston to "get girls[for the Celtics]". Another individual on another night told the Plaintiff he was going to a college party in Boston to get girls [for the Celtics Players], and that he does it frequently.

**B. Recruitment and Retainment of the Plaintiff.**

17. In the Fall of 2021, the Plaintiff was intercepted in the elevator at the Hub50House, where the Plaintiff lived at the time, and taken to an apartment occupied by a Boston Celtics Player, and from there recruited and retained in the Boston Celtics Sex Trafficking Scheme, orchestrated by at least Defendant Mr. Tatum and in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

18. The Player Defendants gained control of the Plaintiff and the Plaintiff was harbored at the Hub50House for their sex trafficking scheme in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

19. Defendant Mr. Brown used his and the Boston Celtics influence to maintain control of the Plaintiff within the Boston Celtics Sex Trafficking Scheme in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

20. The Plaintiff made several observable efforts to break out of the Boston Celtics Sex Trafficking Scheme, and was consistently intercepted and forced back in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.



21.



**C. Luring in Under False Pretenses.**

22. The Plaintiff was lured into the Sex Trafficking Scheme under false pretenses of a honest bond with Person A by Defendant Mr. Tatum and Defendant Boston Celtics in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

23. The Player Defendants' use of Person A and intent was concealed in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

**D. Auction/Presentation of the Victims to the Defendants.**

24. The Plaintiff was presented to the Defendants and/or proxies hired by the Defendants in group settings without the Plaintiff's original awareness and on multiple occasions in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

25. The Plaintiff saw as she was auctioned and presented to and by the Player Defendants, and repeatedly noticed the song Miss Independent played as a trafficker stood and pointed to her, and Boston Celtics Basketball Team Players looked at her as merchandise, in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

26. The Plaintiff was never given warning or any reasonable indication that she was going to be sold or obligated to the Boston Celtics or a man she does not know without consent or say by the Defendants as part of the Boston Celtics Sex Trafficking Scheme, and such was carried out anyways in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

27. After the Plaintiff was presented to the group, the Defendants and other involved parties approached the Plaintiff, either directly or with the use of a proxy<sup>1</sup> as part of the sex

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<sup>1</sup> In order to mask their identities, the Defendants and/or other participants used any combination of the following at the Auctions: proxy individuals, alias names and identities, alias phone numbers. Proxy individuals at times had alias phone numbers, which was revealed after a large misstep in communication with the Plaintiff. On more than one occasion an individual that the Plaintiff met at an Auction, and whom the Plaintiff exchanged phone numbers with, would appear as an entirely different person later with completely different physical characteristics, including but not limited to in respect to height, build, and facial features. The individuals that would show up later would generally have an athletic build and be tall.

trafficking of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

28. On one such occasion, when individuals started to approach the Plaintiff at the end of the presentation, the Plaintiff heard an individual stop people from approaching her while saying "no, shes spoken for" suggesting some sort of sale of the Plaintiff during the sex trafficking of the Plaintiff orchestrated by the Player Defendants in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

29. Shortly after, people that the Plaintiff did not know would force the Plaintiff into their cars, transport the Plaintiff to a harboring apartment, and sexually assault the Plaintiff as part of the sex trafficking of the Plaintiff orchestrated by the Player Defendants in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

30. The Plaintiff noticed Defendant Mr. Brown the most at auctions sex trafficking the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

31. When the Plaintiff attempted to run away from these events, the Plaintiff was chased after by men she did not know, sometimes down the middle of the road, as part of the sex trafficking of the Plaintiff orchestrated by the Player Defendants in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

**E. Transporting Victims.**

32. The Plaintiff was put, sometimes by force, into a car or assigned a car driven by someone she usually did not know, and taken to harboring apartments throughout the city where she was sexually assaulted by the Player Defendants and other players of the Boston Celtics Basketball Team during the sex trafficking of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

33. The Plaintiff frequently tried to get her own rides or run away from everyone and the situation, but was usually intercepted at some point as part of the sex trafficking of the Plaintiff orchestrated by the Player Defendants in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

**F. Harboring Apartments in Boston/Greater Boston Area.**

34. The Plaintiff was taken to harboring apartments in at least the Boston and Greater Boston area for the purposes of forced sexual activity during the sex trafficking of the Plaintiff by the Player Defendants in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so. The Boston Celtics facilitated this sex trafficking act of the Plaintiff in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and caused the Plaintiff damage by doing so.

35. Individual (s) admitted to the Plaintiff to personally owning, renting and/or operating many of apartment units in Boston and the Greater Boston for these purposes. The Plaintiff was taken to several at the Hub50House. Some of the harboring units the Plaintiff was taken to were in luxury apartments complexes but didn't have livable furniture in them, and the Plaintiff was brought to at least 2 of those. In at least one of those, there appeared to be a dependent person associated with the unit,--in one case an old man.

**G. Sexual Violations.**

36. [REDACTED]

*the Plaintiff identities*

*all of the Defendants in their own role operating as a group responsible for every occurrence in violation of 22 U.S.C. § 7101-7102 and 18 U.S.C. § 1589-92, and unequivocally asserts **catastrophic** damage to the Plaintiff that may become permanent damage as a direct result of the role each Defendant played while sex trafficking the Plaintiff.*

**H. Intrastate Network.**

39. The Plaintiff believes that the Defendant's sex trafficking scheme affects interstate commerce. Discovery will be able to reveal more information. The Plaintiff believes the Defendants are an "*enterprise*" defined as including any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity. Discovery will be able to reveal more information. The Plaintiff was told there is a "Person A" in every city to call on, creating a national network. The Plaintiff attended parties with Celtics Basketball Players and artists in the rap industry while being sex trafficked. There were several efforts to take the Plaintiff to Miami.

**CONCLUSION**

**WHEREFORE**, for the reasons set forth in the Motion in Opposition of Boston Celtics Motion to Dismiss and in this accompanying Memorandum of Law and Facts, the Plaintiff kindly and respectfully asks that the Court deny Defendant Boston Celtic's Motion for Dismissal of any claims against them.

Dated: August 30, 2020

Respectfully submitted,

[REDACTED]

Pro Se Representation

By: /s/

[REDACTED]

